

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03 CV 12493-RCL
FILED
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APR 22 2004

MELISSA SEPPI,
PLAINTIFF
VS.
MEZZANOTTE, LLC et al
DEFENDANT

U.S. DISTRICT COURT
DISTRICT OF MASS.

JOINT STATEMENT AND PROPOSED DISCOVERY SCHEDULE L.R. 16.1

NOW COME the parties in the above-entitled action and propose to this Honorable Court the following pretrial schedule:

A. DISCOVERY

1. L.R. 26 (a) (1) Initial Disclosures provided on or before May 5, 2004.
2. All FRCP 33 and 34 discovery requests served by July 30, 2004.
3. All FRCP 12, 15, 19, and 20 motions to be filed by August 30, 2004.
4. All depositions of fact witnesses completed by November 30, 2004. The parties agree that more than ten (10) depositions may be taken.
5. All requests for admissions pursuant to FRCP 36 served by December 30, 2004.
6. Plaintiff to designate witnesses and disclose expert witnesses' written reports pursuant to FRCP 26(a)(2) by November 15, 2004.
7. Defendants to designate witnesses and disclose expert witnesses' written reports pursuant to FRCP 26(a)(2) by December 15, 2004.

8. Expert witness depositions to be completed by March 30, 2005.
9. All FRCP 56 motions served by April 15, 2005.

B. CERTIFICATION OF BUDGET AND ADR

The parties represent that they have agreed to the above outlined discovery plan and have conferred with their respective clients with a view towards establishing a budget for the cost of conducting the full course of litigation and have considered the resolution of this litigation through the use of alternative dispute resolution programs.

C. SUMMARY OF POSITIONS ASSERTED

PLAINTIFF'S POSITION

The Plaintiff is asserting a liquor liability claim against VISION NIGHTCLUB and the liquor license holder for negligence in serving Meghan Putnam, a minor, 18 years old. The Plaintiff was a passenger in the vehicle driven by Putnam from the VISION NIGHTCLUB after Putnam was served intoxicating liquors. As a result of being served intoxicating liquors, Putnam became intoxicated and crashed the vehicle into a jersey barrier on Route 128. The plaintiff was ejected from the vehicle and was ran over by another vehicle, sustaining severe orthopedic injuries. The Plaintiff has undergone over 5 surgeries and has incurred medical bills in excess of \$400,000.

DEFENDANTS' POSITION

The Defendant's deny that they are liable to the Plaintiff; that the Plaintiff's injuries were not caused by the Defendants; the Plaintiff was contributorily

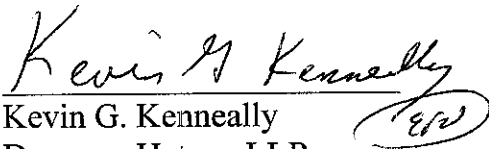
negligent and that Plaintiff's injuries were caused by a superceding intervening cause.

MELISSA SEPPI,
By her attorney,



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MEZZANOTTE, LLC ET AL
By their attorney,



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Dated: April 16, 2004